PTO/SB/05 (03-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Please type a plus sign (+) inside this box → ☐

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

| | |
|---|---|
| *Attorney Docket No.* | 2401.0269C |
| *First Inventor* | Richard L. Goode |
| *Title* | Composite Ventilation Tube |
| *Express Mail Label No.* | |

## APPLICATION ELEMENTS

*See MPEP chapter 600 concerning utility patent application contents.*

1. ☑ Fee Transmittal Form (e.g., PTO/SB/17) *(Submit an original and a duplicate for fee processing)*
2. ☐ Applicant claims small entity status. See 37 CFR 1.27.
3. ☑ Specification [*Total Pages* 23 ] *(preferred arrangement set forth below)*
   - Descriptive title of the invention
   - Cross Reference to Related Applications
   - Statement Regarding Fed sponsored R & D
   - Reference to sequence listing, a table, or a computer program listing appendix
   - Background of the Invention
   - Brief Summary of the Invention
   - Brief Description of the Drawings *(if filed)*
   - Detailed Description
   - Claim(s)
   - Abstract of the Disclosure
4. ☑ Drawing(s) *(35 U.S.C. 113)* [ *Total Sheets* 5 ]
5. Oath or Declaration [ *Total Pages* 2 ]
   - a. ☐ Newly executed (original or copy)
   - b. ☑ Copy from a prior application (37 CFR 1.63 (d)) *(for continuation/divisional with Box 18 completed)*
     - i. ☐ DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

*ADDRESS TO:* Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
8. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
   - a. ☐ Computer Readable Form (CRF)
   - b. Specification Sequence Listing on:
     - i. ☐ CD-ROM or CD-R (2 copies); or
     - ii. ☐ paper
   - c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement *(when there is an assignee)* ☑ Power of Attorney
11. ☐ English Translation Document *(if applicable)*
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☑ Preliminary Amendment
14. ☑ Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. ☐ Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☑ Other: USSN 08/427,909 as filed 4/2/95

18. If a CONTINUING APPLICATION, *check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:*

☑ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 08/427,909

*Prior application information:* Examiner Bianco Group Art Unit: 3762

**For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.**

## 19. CORRESPONDENCE ADDRESS

☐ *Customer Number or Bar Code Label* (Insert Customer No. or Attach bar code label here) or ☑ *Correspondence address below*

| | | | | | |
|---|---|---|---|---|---|
| *Name* | Epstein, Edell, Shapiro, Finnan & Lytle, LLC | | | | |
| *Address* | 1901 Research Blvd, Suite 400 | | | | |
| *City* | Rockville | *State* | Maryland | *Zip Code* | 20850 |
| *Country* | US | *Telephone* | 301-424-3640 | *Fax* | 301-762-4056 |

| | | | |
|---|---|---|---|
| *Name (Print/Type)* | Robert H. Epstein | *Registration No. (Attorney/Agent)* | 24,353 |
| *Signature* | | *Date* | 12/21/01 |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

PTO/SB/17 (11-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

*Patent fees are subject to annual revision.*

TOTAL AMOUNT OF PAYMENT ($) 740

| Complete if Known | |
|---|---|
| Application Number | |
| Filing Date | |
| First Named Inventor | Richard L. Goode |
| Examiner Name | |
| Group Art Unit | |
| Attorney Docket No. | 2401.0269C |

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 05-0460

Deposit Account Name: Epstein, Edell & Retzer

☑ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity Fee Code | Large Entity Fee ($) | Small Entity Fee Code | Small Entity Fee ($) | Fee Description | Fee Paid |
|---|---|---|---|---|---|
| 101 | 710 | 201 | 355 | Utility filing fee | 740 |
| 106 | 320 | 206 | 160 | Design filing fee | |
| 107 | 490 | 207 | 245 | Plant filing fee | |
| 108 | 710 | 208 | 355 | Reissue filing fee | |
| 114 | 150 | 214 | 75 | Provisional filing fee | |

SUBTOTAL (1) ($) 740

### 2. EXTRA CLAIM FEES

| | | Extra Claims | | Fee from below | Fee Paid |
|---|---|---|---|---|---|
| Total Claims | 10 | -20** = 0 | X | | = 0 |
| Independent Claims | 1 | - 3** = 0 | X | | = 0 |
| Multiple Dependent | | | | | = |

| Large Entity Fee Code | Large Entity Fee ($) | Small Entity Fee Code | Small Entity Fee ($) | Fee Description |
|---|---|---|---|---|
| 103 | 18 | 203 | 9 | Claims in excess of 20 |
| 102 | 80 | 202 | 40 | Independent claims in excess of 3 |
| 104 | 270 | 204 | 135 | Multiple dependent claim, if not paid |
| 109 | 80 | 209 | 40 | ** Reissue independent claims over original patent |
| 110 | 18 | 210 | 9 | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) ($) 0

**or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Entity Fee Code | Large Entity Fee ($) | Small Entity Fee Code | Small Entity Fee ($) | Fee Description | Fee Paid |
|---|---|---|---|---|---|
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for *ex parte* reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | |
| 116 | 390 | 216 | 195 | Extension for reply within second month | |
| 117 | 890 | 217 | 445 | Extension for reply within third month | |
| 118 | 1,390 | 218 | 695 | Extension for reply within fourth month | |
| 128 | 1,890 | 228 | 945 | Extension for reply within fifth month | |
| 119 | 310 | 219 | 155 | Notice of Appeal | |
| 120 | 310 | 220 | 155 | Filing a brief in support of an appeal | |
| 121 | 270 | 221 | 135 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,240 | 241 | 620 | Petition to revive - unintentional | |
| 142 | 1,240 | 242 | 620 | Utility issue fee (or reissue) | |
| 143 | 440 | 243 | 220 | Design issue fee | |
| 144 | 600 | 244 | 300 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Processing fee under 37 CFR 1.17(q) | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 710 | 246 | 355 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 710 | 249 | 355 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 710 | 279 | 355 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) ($)

| SUBMITTED BY | | | | Complete (if applicable) | |
|---|---|---|---|---|---|
| Name (Print/Type) | Robert H. Epstein | Registration No. (Attorney/Agent) | 24,353 | Telephone | 301-424-3640 |
| Signature | | | | Date | 12/21/01 |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

The stamp of the U.S. Patent Office placed hereon will indicate the date of receipt of the following:

Utility Patent Application Transmittal (PTO/SB/05); new continuation patent application including Preliminary Amendment; copy of U.S. patent application SN 08/427,909 as filed 04/26/95; Declaration and Power of Attorney as filed on June 21, 1995; Fee Transmittal sheet; and Check No. 5524

Applicant(s): Richard L. Goode et al
For: Composite Ventilation Tube

ATTORNEY DOCKET NO.: 2401.0269C (RHE)

EPSTEIN, EDELL,SHAPIRO, FINNAN & LYTLE, LLC
PATENT & TRADEMARK OFFICE ACCOUNT
1901 RESEARCH BLVD., STE 400
ROCKVILLE, MD 20850

5524

65-233-550

DATE 12-27-01

Pay to the order of COMMISSIONER OF PATENTS AND TRADEMARKS $ 740.00

Seven hundred forty and no/100 ---------- DOLLARS

THE COLUMBIA BANK
ROCKVILLE OFFICE
ROCKVILLE, MD 20850

FOR Xomed-2401.0269C-Filing Fee

Karen M. Gerken

⑈005524⑈ ⑆055002338⑆ ⑈53 051181 01⑈